

OCT 20 2004

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**Attn: Examiner Raymond S. Dean**  
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**Pages: 37 pgs.**

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**Date: October 20, 2004**

**Re: U.S. Serial No. 09/828,149**

**CC:**

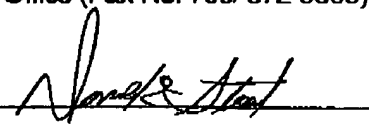
**Filed: April 9, 2001**

**ATS&K Ref: 0171.39605X00**

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• **Comments:**

I hereby certify that the following documents: (1) Amendment Pursuant to 37 C.F.R. §1.116" (14 pages) and (2) Supplemental Information Disclosure Statement (22 pages) are being facsimiled to the Patent and Trademark Office (Fax No. 703/ 872-9306) on October 20, 2004.



Donald E. Stout

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1 June 2004

By fax & mail

Dear Sirs,

European Patent Application No. 02251562.1  
Wireless Group Communication  
Nokia Corporation  
Our ref: MCR/40545EP1

In response to the Official Communication dated 21 November 2003, we file herewith the following:

**Claims:**

Claims 1 to 15 to replace claims 1 to 18 as originally filed on 6 March 2002;

**Description:**

Pages 2 and 3 to replace pages 2 and 3 as originally filed on 6 March 2002.

**Remarks:**

In response to the objections raised by the Examining Division, the claims are amended to specify that the additional function provides an enhancement of the at least one function that is common to wireless terminals in a group. While the original description discussed sharing of applications and functionalities in general terms, the specific examples given, for example, in the passage of page 6, paragraph 3 to page 7, paragraph 1, on page 7, paragraph 2 and on page 10, paragraph 1 relate to feature enhancements of a drawing program, music composition program and a game respectively. Therefore, a skilled reader considering the original description would

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understand that enhancements of other types of application were equally intended and would be able to implement the invention for applications beyond these specific examples. For this reason, it is submitted that the inclusion of this limitation in claim 1 using the general term "enhancement" does not contravene Article 123(2) EPC.

The invention, as now claimed, relates to a wireless terminal that comprises an application and is configured so that, when the wireless terminal is a member of a group, the application is shared between other group members. The application is a feature enhancement or other type of additional feature for use with an application that is common to the wireless terminals within the group. Similarly, applications stored in other group members can be shared with the wireless terminal.

For example, as discussed on page 7 of the description, the application may be a feature enhancement, image database or set of images for use with a basic drawing program stored on each of the terminals. While in the group, the wireless terminal would share the feature enhancements stored in the other group members, thereby providing additional or improved functionality within the program or updated versions of common software. Another example, on page 10 of the application, relates to extra levels of a game application becoming available through this sharing mechanism.

Through use of the invention, collaboration and interaction between users of the wireless terminals may be facilitated without requiring every available feature enhancement to be stored on each wireless terminal.

As requested by the Examining Division, the claims are amended so that they include only one independent apparatus claim, claim 1, which recites a wireless terminal. Claims to a group of such wireless terminals and a wireless communication system are appended to claim 1. In addition, the claims are amended so that the features of the apparatus claimed are recited in terms of a configuration or arrangement of the apparatus, rather than in terms of methods performed by the features.

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The Examining Division consider that the prior arrangements disclosed in D1 and D2 anticipate the subject matter of previous claim 1. These prior art documents will now be considered in turn.

In D1, wireless terminals transmit service information regarding services that may be obtained by other terminals in the group. The example given in column 10, lines 7 to 12 of D1 refers to an advertisement specifying the type of paper available in a printer. The sharing of advertised functions by the terminals in the group is not disclosed in this prior document. Instead, in D1, a first wireless terminal requiring an advertised function requests that the advertising terminal performs the function. The first wireless terminal does not perform the function itself. While paragraph 0033 of D1 refers to interfacing and facilitating collaboration between "kids computers", there is no mention of sharing of functions, as opposed to merely making functions available remotely and, therefore, no disclosure of the sharing of feature enhancements for use with an application that is common to all the terminals. Thus, the arrangement of D1 does not anticipate the present invention as claimed.

Furthermore, as the applications discussed in D1 are not clearly of a type that could be performed by a wireless terminal, the modification of this prior system to provide sharing of applications would not be obvious.

D2 discloses a peer-to-peer network in which resources available to terminals may be advertised. Terminals that have joined the network may access applications and functions provided by a peer-to-peer platform, as shown in Figure 2. While paragraph 0055 describes how "community applications" 152 may be user defined and provided to other terminals as a "peer group application", there is no disclosure of the sharing of enhancements of functions common to the terminals. Therefore, the peer-to-peer arrangement of D2 does not meet the requirements of present claim 1.

It is noted that the priority date of the present application predates the publication date of D2. Therefore, D2 cannot be used in assessing the obviousness of the present invention.

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The present invention is therefore both novel and inventive over the teaching of D1 and is not anticipated by the arrangements disclosed in D2.

New claims are inserted into the specification as follows:

- Claim 2 specifies that the enhancement is an enhancement of an existing feature of the at least one function. This is supported by the example on page 7, paragraph 2, which describes facilities for composing polyphonic music, animation and blinking becoming available as more terminals join a group;
- Claim 3 specifies that the enhancement is an additional feature for use with the one function. Examples of instances of support for this claim include the drawing program discussed on page 6, paragraph 3 to page 7, paragraph 1 and the facility to view users playing a game discussed on page 10, paragraph 1; and
- Claim 4 specifies that the additional function enables an enhancement stored in the wireless terminal. This is disclosed in the last two lines of page 7, paragraph 1.

In each case, the skilled reader would understand that these features could be applied to other embodiments of the invention, beyond the specific examples discussed in the detailed description, and that a general disclosure was intended. Therefore, the inclusion of these claims does not contravene Article 123(2) EPC.

In response to the objections raised in part III of the Official Communication, the following amendments are made:

- Claim 1 is cast in two-part form. As D2 was published after the priority date of the present application, the division of features into a preamble and characterising portion is based on the disclosure of D1;
- Reference signs are included in all claims;

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- The part of the description entitled "Summary of the Invention" is amended for consistency with the claims. However, it is ventured that amendments to the technical problem addressed by the invention are not required; and
- The second of the two application numbers cited on page 2 is replaced by its publication number. However, to the best of my knowledge, the first of the applications, US 09/609,581, is not yet published and so the reference to this patent application is deleted without prejudice.

The applicant requests that, in the event that the Examining Division reject the application in its entirety, Oral Proceedings should be appointed under Article 116.

Yours faithfully,

**Matthew Read**  
**Authorised Representative**

- 2 -

using a short range radio link. One such protocol is known as Bluetooth which is publically available on the Internet at <http://www.bluetooth.com>. A further description of such a system is found in WO 00/69186 which shows a system utilizing the Blue tooth protocol.

5 As indicated in these Bluetooth publications, two or more wireless devices can communicate with each other by making one of the devices a master device which polls other devices in the area to form an active group. However, the system described in this publication only relates to the forming of the communication system and does not define any specific additional functionality to Bluetooth  
10 wireless connection specification of a group which is created in the various wireless devices after they form a group.

U.S. Patent 4,820,167 shows an electronic school teaching system. Each student has a read and test unit in the form of a textbook memory module which is connected to a teachers' computer and an administrative computer in the main  
15 office. The students unit receives homework assignments and allows the student to review the assigned material and perform their homework or tests thereon. Tests can be graded and the results given to both the teacher and the administrator for recordation. Systems such as this are useful in helping the teacher instruct students in their lessons. However, it does not add any fun or additional functions to the  
20 wireless devices of the student.

U.S. Patent Application US 2002/0013831 A (a continuation-in-part application of U.S. Patent Application 09/609,581 filed on June 30, 1999) describes a network having mobile terminals with wireless access to the Internet. This system describes how terminals may become part of a group and how a gateway server  
25 provides management services. However, this system does not provide for additional functionality on the parts of the terminals or for students to have more fun in using their wireless devices.

EP 1 022 876 A1 discloses a local network in which services available on a given terminal are advertised through the sending of service information to other  
30 terminals connected to the network.

EP 1 229 442 A2 discloses a peer-to-peer platform network that can be used for a number of purposes, such as file sharing, including sharing of active content, resource sharing, distributed storage, content delivery and messaging between

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terminals within a group. Using this platform, applications written by a user of one of said terminals can be shared with other terminals within the group.

### SUMMARY OF THE INVENTION

5 According to the present invention, a wireless terminal comprises a transmitter, a receiver, a communication device configured to handle messages that are wirelessly transmitted by the transmitter or received by the receiver to and from at least one other wireless terminal in a group that includes the wireless terminal and at least one function, wherein said at least one function is a software application  
10 that is common to all of the wireless terminals of the group, wherein the wireless terminal comprises at least one additional function, which is not common to all of the wireless terminals of the group, and is configured so that, when the wireless terminal is a member of said group, the additional function is shared with other wireless terminals in the group and further additional functions provided by other  
15 wireless terminals in the group are shared with the wireless terminal, wherein said additional function provides an enhancement of said at least one function.

For example, the enhancement may be an enhancement of an existing feature of the at least one function or an additional feature for use with the at least one function. The additional function may provide the enhancement by enabling a  
20 feature stored in the wireless terminal.

The present invention also provides a group comprising a plurality of such wireless terminals and also a wireless communication system comprising such a group, wherein one of the wireless terminals of said group is configured as a master device and is arranged to scan by wireless communication to locate other of the  
25 plurality of wireless terminals to join the group as slave devices.

### BRIEF DESCRIPTION OF THE DRAWINGS

A more complete appreciation of the invention and many of the attendant advantages thereof will be readily obtained as the same becomes better understood  
30 by reference to the following detailed description when considered in connection with the accompanying drawings, wherein:



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**Claims**

1. A wireless terminal (12) comprising:  
a transmitter;  
5 a receiver;  
a communication device configured to handle messages that are wirelessly transmitted by the transmitter or received by the receiver to and from at least one other wireless terminal in a group (10) that includes the wireless terminal; and  
at least one function, wherein said at least one function is a software  
10 application that is common to all of the wireless terminals of the group;  
characterised in that:  
the wireless terminal comprises at least one additional function, which is not common to all of the wireless terminals of the group, and is configured so that, when the wireless terminal is a member of said group, the additional function is  
15 shared with other wireless terminals in the group and further additional functions provided by other wireless terminals in the group are shared with the wireless terminal, wherein said additional function provides an enhancement of said at least one function.
- 20 2. A wireless terminal (12) according to claim 1, wherein said enhancement is an enhancement of an existing feature of said one function.
3. A wireless terminal (12) according to claim 1, wherein said enhancement is an additional feature for use with said one function.
- 25 4. A wireless terminal (12) according to claim 3, wherein said additional function enables an enhancement stored in said wireless terminal.
5. A wireless terminal (12) according to claim 1, wherein the at least one  
30 function is a software application.
6. A wireless terminal (12) according to claim 5, wherein said additional function is a software application.

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7. A wireless terminal (12) according to claim 5, wherein said additional function is a data library.

5 8. A group (10) comprising:  
a plurality of wireless terminals (12) according to any one of claims 1 to 7,  
arranged for wireless communication with one another;  
wherein one of the wireless terminals of the group is arranged to act as a  
master terminal in order to control interactions between the terminals of the group.

10 9. A group (10) according to claim 8, wherein:  
said terminals (12) are configured to perform the wireless communication  
via a low power radio frequency link (14).

15 10. A group (10) according to claim 8 or 9, wherein:  
the group includes a minimum of two and a maximum of seven terminals  
(12).

20 11. A group (10) according to any one of claims 8, 9 or 10, wherein:  
at least one wireless terminal (12) in the group may be removed from the  
group by a remainder of the wireless terminals in the group.

25 12. A group (10) according to claim 8, configured to make the at least one  
additional function available to the group only when the group comprises a  
minimum number of terminals (12).

30 13. A group (10) according to claim 8, arranged so that:  
after having been a member of the group, at least one of said other wireless  
terminals (12) remains capable of performing the least one additional function.

14. A group (10) in accordance with claim any one of claims 8 to 13, arranged  
to impose rules which control use of information by the group.

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15. A wireless communication system, comprising:  
a group (10) according to any one of claims 8 to 14;  
wherein one of the wireless terminals (12) of said group is configured as a  
master device and is arranged to scan by wireless communication to locate other of  
the plurality of wireless terminals to join the group as slave devices.

JH



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Application No. 02 251 562.1 - 2412	Ref. 03 40545	Date 16.09.2004
Applicant Nokia Corporation		

**Communication pursuant to Article 96(2) EPC**

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

**of 4 months**

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

**Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).**



WOLF W C P  
Primary Examiner  
for the Examining Division

Enclosure(s): 3 page/s reasons (Form 2906)

Registered Letter

EPO Form 2906 (02/00)

**Bescheid/Protokoll (Anlage)**

Datum  
Date 16.09.2004  
Date

**Communication/Minutes (Annex)**

Blatt  
Sheet 1  
Feuille

**Notification/Procès-verbal (Annexe)**

Anmelde-Nr.:  
Application No.: 02 251 562.1  
Demande n°:

The examination is being carried out on the following application documents:

**Description, Pages**

1, 4-10	as originally filed			
2-3	received on	05.06.2004	with letter of	01.06.2004

**Claims, Numbers**

1-15	received on	05.06.2004	with letter of	01.06.2004
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**Drawings, Sheets**

1/1	as originally filed
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1. The Examiner did not find any support in the description for new claim 4 (storing step), claim 7 (presence of a data library), claim 14 (arrangement to impose rules) and claim 15 (arrangement to locate). It is considered that the subject-matter of these claims extends beyond the content of the application as filed (Article 123(2) EPC).

The Applicant is therefore suggested, in order to avoid a future objection according to Article 123(2) EPC either to delete these claims or to indicate for each of these claims from where precisely in the original description the subject-matter of these claims is taken.

2. Despite the amendments made by the Applicant and the filing of a new set of claims, these claims are still not considered as allowable. It seems indeed that the disclosure of D1 still anticipates the object of the new independent claim 1.

Indeed, D1 discloses, according to all the features of claim 1, *a wireless terminal comprising a transmitter; a receiver (D1: figure 2A); a communication device configured to handle messages that are wirelessly transmitted by the transmitter*



Bescheld/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date 16.09.2004	Blatt Sheet Feuille 2	Anmelde-Nr.: Application No.: 02 251 562.1 Demanda n°:

*or received by the receiver to and from at least one other wireless terminal in a group that includes the wireless terminal (D1: column 15, lines 31-36 and column 7, lines 9-13) and at least one function, wherein said at least one function is a software application that is common to all of the wireless terminals of the group (D1: paragraph 58. The service advertisement procedure is a software application that is common to all the wireless terminals of the group) characterised in that:*

- (i) the wireless terminal comprises at least one additional function, which is not common to all of the wireless terminals of the group (D1: paragraph 58: advertising of remote services, or paragraph 62),*
- (ii) and is configured so that, when the wireless terminal is a member of said group, the additional function is shared with other wireless terminals in the group (D1: paragraph 62)*
- (ii) and further additional functions provided by other wireless terminals in the group are shared with the wireless terminal (D1: paragraph 65)*
- (iii) wherein said additional function provides an enhancement of said at least one function (providing additional services to the terminal of D1 is an enhancement of the services of the terminal, and thereby of the service advertisement procedure)*

The essence of the invention is therefore already known from D1. As this document identically discloses all the features of independent claim 1, the subject-matter of this claim lacks novelty, Article 52(1) and 54 EPC; claim 1 is thus not allowable.

The same objection could have been formulated starting from D2 which also concerns the improvement of a function, the improvement consisting of the exchange of data library (see paragraph 6 below).

3. Independent claim 8 is a simple repetition of the subject-matter of claim 1 and hence does not meet the requirements of the EPC for the same reason. The subject-matter of claim 8 therefore lacks novelty, Article 52(1) and 54 EPC; claim 8 is thus not allowable.



## Bescheld/Protokoll (Anlage)

## Communication/Minutes (Annex)

## Notification/Procès-verbal (Annexe)

Datum  
Date  
Date 16.09.2004Blatt  
Sheet  
Feuille 3Anmelde-Nr.:  
Application No.: 02 251 562.1  
Demande n°:

4. The dependent claims do not seem to contain any subject-matter which, in combination with the subject of the claim on which they are dependent, would lead to a claim involving inventive activity (Article 52(1) and 56 of the EPC).

Their subject-matter is indeed either directly derivable from the above cited documents or concerns simple embodiments without inventive merit in themselves (see also first communication date 21.11.2003).

5. The Applicant indicates that the sharing of advertised functions by the terminal in the group is not disclosed in D1. The Examiner does not agree on that. It is agreed that a shared function in D1 is performed remotely. However, this falls within the scope of claim 1; the term "shared" is vague and does not exclude the case of many embodiments of D1 where the function is performed remotely.
6. Furthermore, the term "enhancement of said at least one function" is also very vague. As an example of this enhancement, the Applicant mentions in new dependent claim 7 a "data library". Although this claim is at present not accepted because it contravenes Article 123(2) EPC, it appears clearly that the sharing of a data library is considered by the Applicant as an additional function. This is agreed by the Examiner. As this is the principle of D2 (peer to peer exchange of data), D2 is also within the scope of claim 1 of the present application.
7. The Applicant's attention is drawn to the fact that, if in the next letter of reply, he still fails to provide sound, convincing arguments as to the patentability of the claims, the Examining Division may exercise its discretion not to allow further amendments, according to Rule 86(3) EPC (see also EPO Guidelines, C-VI 4.7), and, in this case, oral proceedings would be immediately arranged.